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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/997,591	11/28/2001	Stefan Berndt	112740-357	6228
29177	7590	10/03/2006	EXAMINER	
BELL, BOYD & LLOYD, LLC P. O. BOX 1135 CHICAGO, IL 60690-1135			WOO, ISAAC M	
			ART UNIT	PAPER NUMBER
			2166	

DATE MAILED: 10/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/997,591

Applicant(s)

BERNDT, STEFAN

Examiner

Isaac M. Woo

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 August 2006.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2 and 4-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2 and 4-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>8/18/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to Applicant's Amendments, filed on August 18, 2006 have been considered but are deemed moot in view of new ground of rejections below.
2. Claims 1-2 and 4-9 are amended. Claims 1-2 and 4-9 are pending.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2 and 4-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Multer et al (U.S. Patent No. 6,671,757, hereinafter, "Multer") in view of Chu et al (U.S. Patent No. 6,493,720, hereinafter, "Chu").

With respect to claim 1, Multer teaches a processing unit (i.e., system in fig. 8, col. 9, lines 19-60, "a unit" is interpreted as "a system component unit" as discussed above in claim objections) for managing data stored in a first data processing device (i.e., 804, PDA in fig. 8, col. 9, lines 46-60), (i.e., data synchronization between PDA, 804 and Windows PC, 806 in fig. 8, col. 9, lines 18-67 to col. 10, lines 1-18), Multer

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teaches a first interface to an object-oriented application (i.e., application object is specific to each application, col. 11, lines 58-67 to col. 12, lines 1-41) which initializes access to the data (col. 10, lines 19-32) and affords changes to the data (i.e., user accesses PDA and changes contact information in application data of PDA, col. 11, lines 15-22, fig. 8); Multer teaches a second interface to an access unit (i.e., 806, Windows 95/98/NT in fig. 8, col. 9, lines 60-67 to col. 10, lines 1-5) which provides different access mechanisms for respectively different memory structures (i.e., PDA and Windows 95/98/NT has each different operating system, needs different access mechanism, and different memory structure, fig. 8, col. 9, lines 46-67 to col. 10, lines 1-31), wherein the unit (i.e., system in fig. 8, col. 9, lines 19-60) provides the object-oriented application with appropriate data by accessing the access unit (i.e., specific application data is accessed by user in each different device, fig. 8, col. 9, lines 46-60) and affords changes to the data independent of changes (i.e., independent data change, col. 7, lines 7-19) made to the data via the first interface (i.e., PDA in fig. 8), (i.e., first interface (PDA) and second interface (Windows 95/98/NT) provide application data accesses and change data independently by user, col. 7, lines 7-19, col. 9, lines 46-67 to col. 10, lines 1-31, col. 3, lines 23-32); and a third interface to a consistency (i.e., synchronizing different information, col. 3, lines 32-55) module that automatically updates changes and automatically provides the changes (i.e., synchronizing different information from data, col. 3, lines 32-55, col. 35, lines 13-22) to the data in further object-oriented applications accessing the same data (i.e., synchronizing delta (changed) information for same data in between PDA and Windows 95/98/NT, fig. 2,

col. 6, lines 31-47, col. 3, lines 32-67 to col. 4, lines 1-29 in fig. 4-5, fig. 8, col. 7, lines 7-44). Multer does not explicitly disclose notification of the updates. However, Chu discloses the notification of the updates (col. 5, lines 46-51). Therefore, based on Multer in view of Chu, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to utilize the teaching of Chu the system of Multer in order to provide update notification for data synchronization for data consistency in data management system.

With respect to claim 2, Multer teaches wherein the data are provided as required objects (i.e., data is extracted, copied and stored as application objects requires col. 12, lines, 9-41).

With respect to claim 4, Multer teaches wherein the object-oriented application runs on the first data processing device (i.e., 804, PDA in fig. 8) in which the data is stored (i.e., 814, palm application (object-oriented application in fig. 9B, col. 15, lines 25-43) runs on first data processing device, 824 in fig. 8, application data is stored on PDA, col. 11, lines 23-37).

With respect to claim 5, Multer teaches wherein the object-oriented application runs (i.e., 816, 826 in fig. 8, col. 11, lines 59-67 to col. 12, lines 1-41) on a second data processing device (i.e., 806, Windows 95/98/NT in fig. 8) and the data are stored in the first data processing device (i.e., 824, palm application data stored in 804, PDA in fig. 8,

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col. 11, lines 23-38), the first and second data processing device being connected to one another via network (i.e., 700, network in fig. 7-8, col. 7, lines 61-67 to col. 8, lines 1-16).

With respect to claim 6, Multer teaches wherein the unit is arranged in the first data processing device (i.e., 814, plan applications are software function unit on 804, PDA in fig. 8, col. 9, lines 46-60).

With respect to claim 7, Multer teaches wherein the first interface is used for connection to a network interface unit (i.e., 710, internet connection in fig. 8, col. 10, lines 46-60).

With respect to claim 8, Multer teaches wherein, for a plurality of object-oriented applications (i.e., 816 in fig. 8, col. 12, lines 9-41), each application has a respectively associated application-specific unit (i.e., 816 in fig. 8, each application, such as, windows, outlook, and etc., has its own specific application software function, col. 9, lines 46-67 to col. 10, lines 1-18, col. 12, lines 9-41).

With respect to claim 9, Multer teaches a system for managing data (i.e., for data synchronization, col. 9, lines 18-67 to col. 10, lines 1-18), Multer teaches a processing unit (i.e., system in fig. 8, col. 9, lines 19-60, "a unit" is interpreted as "a system component unit" as discussed above in claim objections) for managing the data

(i.e., for data synchronization, col. 9, lines 18-67 to col. 10, lines 1-18), the unit including a first processing device (i.e., 804, PDA in fig. 8, col. 9, lines 46-60), a first interface to an object-oriented application (i.e., application object is specific to each application, col. 11, lines 58-67 to col. 12, lines 1-41) which initializes access to the data (i.e., specific application data is accessed by user in each different device, fig. 8, col. 9, lines 46-60) and affords changes to the data (i.e., user accesses PDA and changes contact information in application data of PDA, col. 11, lines 15-22, fig. 8); Multer teaches a second interface to an access unit (i.e., 806, Windows 95/98/NT in fig. 8, col. 9, lines 60-67 to col. 10, lines 1-5) which provides different access mechanisms for respectively different memory structures (i.e., PDA and Windows 95/98/NT has each different operating system, needs different access mechanism, and different memory structure, fig. 8, col. 9, lines 46-67 to col. 10, lines 1-31), wherein the unit (i.e., system in fig. 8, col. 9, lines 19-60) provides the object-oriented application with appropriate data by accessing the access unit (i.e., specific application data is accessed by user in each different device, fig. 8, col. 9, lines 46-60) and affords changes to the data independent of changes (i.e., independent data change, col. 7, lines 7-19) made to the data via the first interface (i.e., PDA in fig. 8), (i.e., first interface (PDA) and second interface (Windows 95/98/NT) provide application data accesses and changes independently by user, col. 7, lines 7-19, col. 9, lines 46-67 to col. 10, lines 1-31, col. 3, lines 23-32); and Multer teaches a third interface to a consistency (i.e., synchronizing different information, col. 3, lines 32-55) module that automatically updates changes and automatically provides the changes (i.e., synchronizing different information from data,

col. 3, lines 32-55, col. 35, lines 13-22) to the data in further object-oriented applications accessing the same data (i.e., synchronizing delta (changed) information for same data in between PDA and Windows 95/98/NT, fig. 2, col. 6, lines 31-47, col. 3, lines 32-67 to col. 4, lines 1-29 in fig. 4-5, fig. 8, col. 7, lines 7-44); and Multer teaches a second data processing device (i.e., 806, Windows 95/98/NT in fig. 8, col. 9, lines 60-67 to col. 10, lines 1-5), wherein the object-oriented application runs (i.e., 816, 826 in fig. 8, col. 11, lines 59-67 to col. 12, lines 1-41) on a second data processing device (i.e., 806, Windows 95/98/NT in fig. 8) and the data are stored in the first data processing device (i.e., 824, plam application data stored in 804, PDA in fig. 8, col. 11, lines 23-38), the first and second data processing device being connected to one another via network (i.e., 700, network in fig. 7-8, col. 7, lines 61-67 to col. 8, lines 1-16). Multer does not explicitly disclose notification of the updates. However, Chu discloses the notification of the updates (col. 5, lines 46-51). Therefore, based on Multer in view of Chu, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to utilize the teaching of Chu the system of Multer in order to provide update notification for data synchronization for data consistency in data management system.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


Contact Information

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M. Woo whose telephone number is (571) 272-4043. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Isaac Woo
September 28, 2006


JEAN M. CORRIELLUS
PRIMARY EXAMINER